

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Gordon Miles,

File No. 24-cv-1012 (ECT/ECW)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Nancy Johnston, Nancy Stacken, Courtney
Menton, David Miles, Kristen Sherlock,
Sarah McDowell, Mike Messenger, Timothy
Petersen, Justin Tucheck, Jacob Davis, Kevin
Schleret, Christopher Vanderpool, Katy
Porter, John Does, and Jane Does, *each in
their official and individual capacities,*

Defendants.

Magistrate Judge Elizabeth Cowan Wright issued an Order and Report and Recommendation dated December 17, 2024. ECF No. 48. No party has objected to that Order and Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 48] is **ACCEPTED** in full.
2. Defendant's Motion to Dismiss [ECF No. 13] is **DENIED WITHOUT PREJUDICE**.

3. Plaintiff's Motion for Preliminary Injunction [ECF No. 24] is **DENIED WITHOUT PREJUDICE.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 10, 2025

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court